



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : WEI, et al.  
U.S. Serial No.: 10/650,365  
Filed : August 28, 2003  
For : RECOMBINANT SUPER-COMPOUND INTERFERON  
  
Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357

November 13, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION TO SUBMIT INFORMATION  
DISCLOSURE STATEMENT AND PRIORITY DOCUMENT**

Applicants hereby submit the Information Disclosure Statement and Priority Document (CN Application No. 01104367.9, filed on February 28, 2001) for the above identified application. Applicants respectively request that these documents be recorded in connection with the above-identified application.

**Information Disclosure Statement**

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants would like to direct the Examiner's attention to the following references which are listed below as **Exhibits 1-28** and on Forms PTO/SB/08A and PTO/SB/08B (**Exhibit A**). The following references are attached:

1. U.S. Patent No. 4,672,108 for Kung, et al., June 9, 1987. Crystalline Human Leukocyte Interferon [**Exhibit 1**]
2. U.S. Patent No. 4,681,930 for Kung, et al., July 21, 1987. Immune Interferon and a Method for its Extraction and Purification [**Exhibit 2**]

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3. U.S. Patent No. 4,695,623 for Y. Stabinsky, September 22, 1987. Consensus human leukocyte interferon [Exhibit 3]
4. U.S. Patent No. 4,897,471 for Y. Stabinsky, January 30, 1990. Consensus human leukocyte interferon [Exhibit 4]
5. U.S. Patent No. 5,602,232 for Reichert, et al., February 11, 1997. Method for Producing Metal-Interferon- $\alpha$  Crystals [Exhibit 5]
6. U.S. Patent No. 5,972,331 for Reichert, et al., October 26, 1999. Crystalline Interferon Alpha for Pulmonary Delivery and Method for Producing the Same [Exhibit 6]
7. U.S. Patent No. 6,087,478 for Vinkemeier, et al., July 11, 2000. Crystal of the N-Terminal Domain of a Stat Protein and Methods of Use Thereof [Exhibit 7]
8. U.S. Patent No. 6,532,437 B1 for Clardy, et al., March 11, 2003. Crystalline Frap Complex [Exhibit 8]
9. U.S. Patent No. 6,546,074 B1 for Blundell, et al., April 8, 2003. Protein Crystal Structure and Method for Identifying Protein Modulators [Exhibit 9]
10. Chinese Patent No. CN 1099799A for Wei, et al., March 8, 1995, Method of Preparation and Purification of IFN- $\alpha$  [Exhibit 10]

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11. Chinese Patent No. CN 1120846A for Wei, et al., April 17, 1996, Metal-Interferon- $\alpha$  Crystal [Exhibit 11]
12. Chinese Patent No. CN 1186120A for Wei, et al., July 1, 1998, Express and Secretion of Recombinant Interferon- $\alpha$ ib in *E.Coli*. [Exhibit 12]
13. Chinese Patent No. CN 1217660A for Wei, et al., May 26, 1999, Method of Using Consensus Interferon to Retreat Patients with Hepatitis [Exhibit 13]
14. Chinese Patent No. CN 1256148A for Wei, et al., June 14, 2000, A Stable Interferon Solution [Exhibit 14]
15. Chinese Patent No. CN 1291198A for Wei, et al., April 11, 2001, 3-Dimensional Structure and Model of Fc Receptor and its Application [Exhibit 15]
16. Chinese Patent No. CN 1384116A for Wei, et al., December 11, 2002, A New Type of Interferon- $\alpha$  [Exhibit 16]
17. Chinese Patent No. CN 1098103C for Wei, et al., January 8, 2003, Pharmaceutical Application of Sympathetic Human Leucocyte Interferon [Exhibit 17]
18. Chinese Patent No. CN 1062565C for Wei, et al., February 28, 2001, Preparation Method and Application of Recombinant Human Consensus Interferon- $\alpha$  [Exhibit 18]
19. European Patent No. EP 0083734 B1 for Kung, et al., Filed December 3, 1982 [Exhibit 19]
20. European Patent No. EP 0736303 B1 for Gross, et al., March 30, 1996, Interferon Solution [Exhibit 20]

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21. European Patent No. EP 0777495 B1 for Pui-Ho Yuen and Douglas Kline, on October 10, 1995, Stable, Aqueous Alfa Interferon Solution Formulations [Exhibit 21]
22. International Publication Number WO 01/35987 A1 for Kang, et al., Published May 25, 2001. An Aqueous Solution Formulation of Alpha-Interferon [Exhibit 22]
23. CAO, Hongpeng, and TAO, Peizhen. Effect of Anti-HBV of 6 Drugs Include Lamivudine. Natl Med J China, 2001,81(16):1004-1007 [Exhibit 23]
24. FEI, et al. Clinical Observation of Effect on Treatment of Chronic Hepatitis B by a Combination of Interferon  $\alpha$  and Lamivudine. Shandong Medical Journal, 1999,39(11): 3-4 [Exhibit 24]
25. GAO, et al. Treatment of hepatitis virus related pediatric nephritis with IFN- $\alpha$ . Academic Journal of Jinlin Hospital, 1999,12(1):24-26 [Exhibit 25]
26. LEI, et al. Observation on Clinical Treatment of Chronic Hepatitis B by Purified Human Leucocyte Interferon-  $\alpha$ . Chinese Journal of Practical Internal Medicine, 1995,15(3):155-157 [Exhibit 26]
27. LANG, et al. Observation on Serology and Histology of Patients with Chronic Hepatitis B after Interferon Treatment. Chin J Infet Dis., 2002,20(2):97-100 [Exhibit 27]

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28. WANG, Xiangye, and LI, Xuegang. Comparing Effect of  
Three Drugs on Turning HBeAg to Negative. Qianwei  
Medical Journal, 1994,11(4):197-198 [Exhibit 28]

Applicants hereby submit a certified copy of the priority  
document as **Exhibit B**.

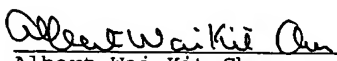
If a telephone interview would be of assistance in advancing  
prosecution of the subject application, Applicant's  
undersigned attorney invites the Examiner to telephone him at  
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No fee is deemed necessary in connection with the filing of  
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required, authorization is given to charge the amount of any  
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Respectfully submitted,



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Albert Wai-Kit Chan Date  
Reg. No. 36,479

Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicant  
Law Offices of  
Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615  
E-mail: kitchanlaw@aol.com



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Sheet 1 of 4

PTO/SB/08A (02-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

### Complete if Known

Application Number	10/650,365
Filing Date	August 28, 2003
First Named Inventor	WEI, et al.
Art Unit	
Examiner Name	
Attorney Docket Number	792-A-PCT-US

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 4672108 A	06-09-1987	Kung, et al.	
	2	US- 4681930	07-21-1987	Kung, et al.	
	3	US- 4695623	09-22-1987	Y, Stabinsky	
	4	US- 4897471	01-30-1990	Y, Stabinsky	
	5	US- 5602232	02-11-1997	Reichert, et al.	
	6	US- 5972331	10-26-1999	Reichert, et al.	
	7	US- 6087478	07-11-2000	Vinkemeier, et al.	
	8	US- 6532437 B1	03-11-2003	Clardy, et al.	
	9	US- 6546074 B1	04-08-2003	Blundell, et al.	
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### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	10	CN-1099799A	03-08-1995	Wei, et al.		
	11	CN-1120846A	04-17-1996	Wei, et al.		
	12	CN-1186120A	07-01-1998	Wei, et al.		
	13	CN-1217660A	05-26-1999	Wei, et al.		
	14	CN-1256148A	06-14-2000	Wei, et al.		
	15	CN-1291198A	04-11-2001	Wei, et al.		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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## U. S. PATENT DOCUMENTS

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	16	CN-1384116A	12-11-2002	Wei, et al.		
	17	CN-1098103C	01-08-2003	Wei, et al.		
	18	CN-1062565C	02-28-2001	Wei, et al.		
	19	EP-0083734B1	12-03-1982	Kung, et al.		
	20	EP-0736303B1	03-30-1996	Gross, et al.		
	21	EP-0777495B1	10-10-1995	Pui-Ho Yuen, Douglas Kline		

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WEI, et al.

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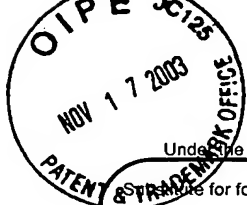
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	23	CAO Hongpeng, TAO Peizhen. Effect of Anti-HBV of 6 Drugs Include Lamivudine. Natl Med J China, 2001,81(16):1004-1007	
	24	FEI Junhua, QIN Laiyin, FAN Guiling, et al. Clinical Observation of Effect on Treatment of Chronic Hepatitis B by a Combination of Interferon $\alpha$ and Lamivudine. Shandong Medical Journal, 1999,39(11): 3-4	
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	26	LEI Binjun, LU Yuhong, QIU Yanqiu, et al. Observation on Clinical Treatment of Chronic Hepatitis B by Purified Human Leucocyte Interferon- $\alpha$ . Chinese Journal of Practical Internal Medicine, 1995,15(3):155-157	
	27	LANG Zhenwei, HAN Honglei, XU Dejun, et al. Observation on Serology and Histology of Patients with Chronic Hepatitis B after Interferon Treatment. Chin J Infect Dis., 2002,20(2):97-100	
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